IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRTEENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 19917 of 1995

Between:

T.A.Lakshminarayana, S/o. Aswarthaiah.
D.No. 19-6-4, Satyanarayanapet,
Hindupur, Anantapur.

..... PETITIONER

AND

1 The Person-in-Charge, Agricultural Market Committee,
Hindupur, Anantapur district.
2 The Prl. Secretary to Govt., Food and Agriculture (Marketing) Government of A.P.
Secretariat Buildings, Hyderabad.
3 The Director of Marketing, Govt. of A.P.
B.R.K.Bhavan, Near Secretariat,
Tank Bund, Hyderabad.

.RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue rule nisi calling for the entire records leading up to and inclusive of the notification issued by the 1st respondent herein hearing Rc.No. 340/95 dated 04/08/1995 published in the Telugu Daily, Eenadu dated 15/08/1995 and quash the said notification of the 1st respondent, by issuing an appropriate writ, order or direction, particularly one in the nature of Certiorari, and pass.

Counsel for the Petitioner:MR.A.PRABHAKAR SARMA

Counsel for respondent NO. 1: Sri P.Harnatha Gupta,

Counsel for the Respondent Nos.2 & 3.: GP FOR COOPERATION

The Court made the following :

Order:

The present writ petition is filed questioning the tender notification dated 4-8-1995 with regard to construction of 2500 tonnes capacity of cold storage plant for the facility of ryots about 0-27 cents in Hindupur Agricultural Market Committee Yard premises.

The grievance of the petitioner is that as per the provisions of Rule 27 of A.P. (Agricultural Produce and Live Stock) Market Rules 1969 the first respondent is bound to implement the directions of the Government and to disseminate information in respect of the production, processing and storage of notified commodities and without following the same the subject tender was issued, without specifying the project amount and without disclosing the construction plan for the subject cold storage plant. It is also stated that the petitioner has approached the market committee to furnish the necessary details and the same were not furnished to him. Hence, the writ petition.

The first respondent filed counter affidavit stating that the petitioner has not submitted his tender in time and has not contacted the Secretary of the market committee to know the other particulars of the construction of the cold storage. The allegations as regards deviation from following the Rules were denied. A counter affidavit on behalf of respondents 2 and 3 was filed, which is also similar as the counter filed by first respondent.

The learned Government Pleader for Cooperation submitted that the petitioner has not even participated in the subject tenders and has no locus standi to file the present writ petition and the writ petition is liable to be dismissed on the said ground alone.

It is to be noted that no interim orders were granted by this Court while

admitting the writ petition and learned counsel for petitioner is not in a position to apprise this Court whether or not the project work was undertaken. In the circumstances of the case and in view of the averments made in the counter affidavits filed by the respondents, I see no reason to interfere in the matter. The writ petition fails and the same is accordingly dismissed. No costs.

_____ N.V.RAMANA,J

13-10-2004

TVK

To

1 The Person-in-Charge, Agricultural Market Committee,
Hindupur, Anantapur district.
2 The Prl. Secretary to Govt., Food and Agriculture (Marketing) Government of A.P.
Secretariat Buildings, Hyderabad.
3 The Director of Marketing, Govt. of A.P.
B.R.K.Bhavan, Near Secretariat,
Tank Bund, Hyderabad.

4.2CCs to G.P. for Cooperation, High Court of A.P.Hyd.(OUT)

5.2CD copies

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